

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
NOW-CASTING ECONOMICS, LTD,

Plaintiff,

-v-

ECONOMIC ALCHEMY LLC,

Defendant.

CIVIL ACTION NO.: 18 Civ. 2442 (JPC) (SLC)

DISCOVERY ORDER

SARAH L. CAVE, United States Magistrate Judge.

Before the Court is Plaintiff's Letter-Motion to compel Defendant "to produce its designated expert, Professor Joseph Stiglitz, on a date certain and for a 'reasonable fee' to be determined upon Defendant's proper application subsequent to the deposition." (ECF No. 121 at 1). The Court has reviewed Plaintiff's Letter-Motion, its supplemental letter dated July 14, 2021 (ECF No. 123), and Defendant's letter in response (ECF No. 124).

For the reasons discussed on the record at the discovery conference held today, July 19, 2021, Plaintiff's Letter-Motion is GRANTED. Professor Stiglitz shall appear for a deposition, which may take place by remote means (i.e., videoconference), by **July 30, 2021**. Dr. Stiglitz is not entitled to advance payment of his fee for the deposition. See Ajasin v. Ortiz, No. 19 Civ. 6814 (RA) (JLC), 2021 WL 1437551, at *2 (S.D.N.Y. Apr. 16, 2021). As to the reasonableness of Dr. Stiglitz's fee, "it is well-settled that parties seeking court intervention to determine a reasonable fee for an expert deposition should do so after the deposition, not before it has taken place." Id. at *1. Accordingly, if the parties are unable to reach an agreement on Dr. Stiglitz's fee, they may seek court intervention after the deposition has taken place.

By **August 6, 2021**, the parties shall file a joint letter certifying the completion of Dr. Stiglitz's deposition and the close of expert discovery.

The Clerk of Court is respectfully directed to closed ECF No. 121.

Dated: New York, New York
July 19, 2021

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge